

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently amended) A ~~stable~~ phosphatidylserine (PS) composition of matter comprising from about 1 to about 99% (w/w) ~~phosphatidylserine PS and an oil base, wherein said PS is predominantly in the form of its salt with a divalent ion and is dispersed in said oil base, characterized in that said composition exhibits a stability of less no more~~ than about 1 to about 5% decomposition of the phosphatidylserine PS ~~are decomposed~~ after a storage period of at least 6 months.
2. (Currently amended) The composition of matter of claim 1, further comprising from about 1 to about 99% (w/w) ~~phosphatidylserine, from about 1 to about 99% (w/w) phosphatidylcholine~~ phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol (PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 4 ~~to about 99%~~ 1 to about 99% (w/w) sterol or sterol esters.
3. (Cancelled)
4. (Cancelled)
5. (Currently amended) The phosphatidylserine composition of matter of claim 1, ~~being~~ wherein said PS salt is in powder form.
6. (Cancelled)

7. (Cancelled)
8. (Currently amended) The phosphatidylserine composition of matter of claim 1, wherein ~~the phosphatidylserine is present in the form of a~~ said salt is any one of calcium PS salt and magnesium PS salt. ~~which is non-soluble in organic solvents.~~
9. (Cancelled)
10. (Cancelled)
11. (Cancelled)
12. (Cancelled)
13. (Cancelled)
14. (Currently amended) The phosphatidylserine ~~dispersion~~ composition of matter of claim 1-43, comprising from about 1 to about 70% (w/w) phosphatidylserine.
15. (Currently amended) The phosphatidylserine ~~dispersion~~ composition of matter of claim 1-43, wherein said oil base is a triglyceride base.
16. (Cancelled)
17. (Currently amended) The phosphatidylserine ~~dispersion~~ composition of matter of claim 1-43, characterized in that said ~~dispersion~~ composition is solid at room temperature and fluid at elevated temperatures, ~~and it is suitable for soft gel~~

encapsulation.

18. (Cancelled)

19. (Cancelled)

20. (Currently amended) The phosphatidylserine dispersion composition of matter of claim 1, for use as a dietary supplement, nutraceutical food and/or drug additive.

21. (Currently amended) A food article comprising ~~one of~~ a phosphatidylserine composition of matter of claim 1, wherein said composition of matter may be in powder form, a stable liquid preparation of phosphatidylserine dispersed in a lipid base, or a stable dispersion of phosphatidylserine dispersed in a lipid base, wherein said composition comprises from about 1 to about 99% (w/w) phosphatidylserine, from about 1 to about 99% (w/w) phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol (PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 1 to about 99% 1 to about 99% (w/w) sterol or sterol esters, and optionally further comprising at least one additional active ingredient, which may be one of lecithin, phospholipids, vitamins, anti-oxidants, minerals, sterol, nutritional carbohydrates, amino acids and poly-unsaturated fatty acids, and wherein no more than about 1 to about 5% of the phosphatidylserine are decomposed after a storage period of at least 6 months.

22. (Cancelled)

23. (Cancelled)

24. (Currently amended) A pharmaceutical composition comprising ~~one of~~ a

phosphatidylserine composition of matter of claim 1, wherein said composition of matter may be in powder form, a stable liquid preparation of phosphatidylserine dispersed in a lipid base, or a stable dispersion of phosphatidylserine dispersed in a lipid base, wherein said composition comprises from about 1 to about 99% (w/w) phosphatidylserine, from about 1 to about 99% (w/w) phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol (PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 1 to about 99% 1 to about 99% (w/w) sterol or sterol esters, and optionally further comprising at least one additional biofunctional ingredient, which may be one of lecithin, phospholipids, vitamins, anti-oxidants, minerals, sterols, nutritional carbohydrates, amino acids and poly-unsaturated fatty acids and/or at least one pharmaceutically acceptable additive, diluent, carrier or excipient, and wherein no more than about 1 to about 5% of the phosphatidylserine are decomposed after a storage period of at least 6 months.

25. (Cancelled)

26. (Cancelled)

27. (Currently amended) The combination of A a capsule ~~containing one of and~~ a phosphatidylserine composition of matter of claim 1 contained in said capsule, wherein said composition of matter may be in powder form, a stable liquid preparation of phosphatidylserine dispersed in a lipid base, or a stable dispersion of phosphatidylserine dispersed in a lipid base, wherein said composition comprises from about 1 to about 99% (w/w) phosphatidylserine, from about 1 to about 99% (w/w) phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol (PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 1 to about 99% 1 to about

~~99% (w/w) sterol or sterol esters, wherein said capsule is preferably a soft gelatin capsule, and wherein no more than about 1 to about 5% of the phosphatidylserine are decomposed after a storage period of at least 6 months.~~

28. (Cancelled)

29. (Cancelled)

30. (Currently amended) A method of enhancing cognitive performance and learning ability in a subject, the method comprising administering to said subject an effective amount of ~~The the phosphatidylserine PS~~ composition of matter of claim 1 2, ~~for use as an enhancer of cognitive performance and learning ability.~~

31. (Cancelled)

32. (Cancelled)

33. (Currently amended) A method of improving age-related memory loss in a subject, comprising administering to said subject an effective amount of ~~The the~~ phosphatidylserine composition of matter of claim 1 2, ~~for use in improving age-related memory loss.~~

34. (Cancelled)

35. (Cancelled)

36. (Cancelled)

37. (Cancelled)

38. (Cancelled)

39. (Cancelled)

41. (Cancelled)

42. (Cancelled)

43. (Cancelled)

44. (Cancelled)

45. (Cancelled)

46. (Cancelled)

47. (Cancelled)

48. (Cancelled)

49. (Cancelled)

50. (Cancelled)

51. (Cancelled)

52. (Cancelled)

53. (New) The phosphatidylserine composition of matter of claim 15, wherein said triglyceride base is a medium-chain triglyceride oil.

54. (New) The combination of claim 27, wherein said capsule is a soft gel capsule.

55. (New) The food article of claim 21, further including from about 1 to about 99% (w/w) phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol (PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 1 to about 99% (w/w) sterol or sterol esters, and at least one additional active ingredient selected from the group consisting of lecithin, phospholipids, vitamins, anti-oxidants, minerals, sterol, nutritional carbohydrates, amino acids and poly-unsaturated fatty acids.

56. (New) The pharmaceutical composition of claim 24, further including from about 1 to about 99% (w/w) phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol (PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 1 to about 99% (w/w) sterol or sterol esters, and at least one additional biofunctional ingredient selected from the group consisting of lecithin, phospholipids, vitamins, anti-oxidants, minerals, sterols, nutritional carbohydrates, amino acids and poly-unsaturated fatty acids and/or at least one pharmaceutically acceptable additive, diluent, carrier or excipient.

57. (New) The combination of claim 27, further including from about 1 to about 99% (w/w) phosphatidylcholine (PC), from about 1 to about 99% (w/w) phosphatidylethanolamine (PE), from about 1 to about 99% (w/w) phosphatidylinositol

Application Ser. No. 10/572,782

Applicants: D. PLATT et al.

Supplemental Response to Response filed June 30, 2009

(PI), from about 1 to about 99% (w/w) polyunsaturated fatty acids, and/or from about 1 to about 99% 1 to about 99% (w/w) sterol or sterol esters, and at least one additional biofunctional ingredient selected from the group consisting of lecithin, phospholipids, vitamins, anti-oxidants, minerals, sterols, nutritional carbohydrates, amino acids and poly-unsaturated fatty acids and/or at least one pharmaceutically acceptable additive, diluent, carrier or excipient.